

In re MAMILLAPALLI ET AL., Application No. 10/721,939
Amendment B

REMARKS

The final Office action dated November 1, 2005, and the references cited have been fully considered. In response, please enter the enclosed Request for Continued Examination (RCE) and amendments, and consider the following remarks. Reconsideration and/or further prosecution of the application is respectfully requested. No new matter is added herein.

In addition, an IDS is being filed herewith. This IDS is cumulative of two IDS filed with the USPTO on October 21, 2005, neither of which appear to have been considered by the Office and only one of which shows up on PAIR. Therefore, Applicants are submitting this new IDS with a 1449 listing the reference and the pending application. The reference is not being resubmitted as it can be found in the electronic file wrapper of this application.

Applicants have taken this opportunity to cleanup a definition in the specification to ensure that it is defined consistent with common usage and the MPEP. No new matter is added in this paper.

In regards to the § 112 rejections, claims 1, 13, 23 and 37 stand rejected under 35 USC § 112, second paragraph as being indefinite. Applicants respectfully traverse these rejections as the language is clear and definite, and Applicants do not understand how it can have a different interpretation than that defined by the recited words themselves. However, to alleviate any concerns of the Office Applicants have amended this limitation to differently phrase, but not change this limitation. Applicants therefore believe all claims comply with 35 USC § 112, and request all such rejections be withdrawn.

Applicants appreciate the notification that claims 35 and 36 are allowed, and dependent claims 3, 4, 15, 16, 25, 26, 33 and 39 would be allowable if rewritten in independent format.

In terms of the rejections based on prior art, Applicants believe that all pending claims are patentably distinct from the prior art of record. Each of the non-allowed independent claims of 1, 7, 11, 12, 13, 19, 23, 29, and 37 have been amended to recite that the multicast message / message includes *as its destination address* the plurality of nodes. Support is provided for this limitation of destination address 402 of message 400 illustrated in FIG. 4A and discussed in the

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originally filed application. Each of these claims also includes a limitation of an indication or designated acknowledgement node(s) of one or more but less than all of the plurality of nodes, wherein it is these one or more but less than all of the plurality of nodes that acknowledge the received message. In other words, the multicast address being the destination address defines which nodes are intended (using the terminology of Lo et al.) to receive the message. All of the prior art of record teaches that all the nodes which are intended to receive the message acknowledge it. For example, see Lo et al., col. 8, line 34 through col. 9, line 29.

In contrast, the claims recites limitations that define that only the identified/designated nodes which is less than all of the nodes to which the message is sent/intended for actually acknowledge the message. Applicants believe this is a recited limitation that is patentably distinct from the prior art of record. Once again, the prior art teaches that all nodes to which the message is intended acknowledges it. Applicants hope the clarification in response to the § 112 rejection help the Office understand this patentable distinction.

Additionally, a multicast address is a term well-known in the art that means a single address referring to multiple networked devices, such as, but not limited to, a multicast address of an Ethernet packet, an multicast address of an IP packet, a group address, etc. A string of instructions or a series of multiple unicast addresses is not a multicast address (e.g., that disclosed by Bovie and relied upon by the Office in rejecting the claims). Instead of arguing semantics, Applicants have included this well-known, basic definition of a multicast address into each of the claims.

In addition, claims 11 and 12 are amended herein to recite the ability to immediately or delay acknowledgement of the message, with support provided at least by process blocks 312-316 of FIG. 3 and its corresponding discussion in the originally filed application.

Based at least on these discussed limitations recited in independent claims of 1, 7, 11, 12, 13, 19, 23, 29, and 37, Applicants believe all pending claims are allowable over the prior art of record.

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Some more specific comments, claim 11 stands rejected under 35 USC § 102(b) as being anticipated by Lo et al., US Patent 6,122,483. Applicants respectfully traverse this rejection as Lo et al. neither teaches nor suggests all the limitations as required by the MPEP for a proper rejection. Indication 202B of Lo et al. is an indication defining whether the message is a multicast message or a subscriber message, where Lo et al. teaches always not immediately acknowledge a multicast page. Therefore, it is impossible for a multicast page to be immediately acknowledged, and therefore indication 202B neither teaches nor suggests the node delaying acknowledgment of the *multicast message* in response to the indication identifying to delay acknowledgement of the *multicast message*. (Note the claim limitation was "multicast message" not a "received multicast or unicast message"). Applicants have amended claim 11 to further emphasize this distinction, with support provided by original FIG. 3 and its corresponding discussion in the original application. Applicants therefore request the rejection of claim 11 be withdrawn, as well as the reasons already discussed herein which further distinguish claim 11 from the prior art of record.

Independent claims 1, 7, 12, 13, 19, 23, 29, and 37 stand rejected under 35 USC § 103(a) by Lo et al. in view of Boivie, US Patent 6,415,312. Applicants respectfully traverse these rejections for at least the reasons already discussed herein. For example, Boivie neither teaches nor suggests a multicast address. The Office relies on "routing information" which is not a multicast address, nor is it a multicast address of the multicast message. Rather, the routing information is a list of unicast addresses (Boivie, col. 3, lines 49-51) encapsulated in the payload of an IP packet (Boivie, col. 3, line 16).

Moreover, Applicants respectfully traverse the motivation stated in the Office action for the combination of Lo et al. with Boivie, which is to efficiently use channel resources. Applicants respectfully submit that Boivie's encapsulation of and use of unicast messages for each of its desired destinations would not make efficiently use of the channel resources of Lo et al. In fact, quite the opposite as each destination would require sending a separate unicast message which would for n destinations, use n times the number of channel resources used by

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Lo et al.'s communication mechanism. Moreover, the nodes of Lo et al. are simple paging subscriber devices with the ability to receive and acknowledge messages. The nodes of Boivie require the ability to understand routing of packets, packet encapsulation, receiving and forwarding one or more copies of received information to other nodes. Applicants make a demand for the teachings of how the subscriber devices can perform such functionality.

For at least the reasons presented herein, all claims are believed to be allowable over the prior art of record, and Applicants respectfully request that the rejections of all claims be withdrawn, all pending claims be allowed, and the application be passed to issuance.

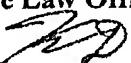
In view of the above remarks and for at least the reasons presented herein, all pending claims are believed to be allowable over the prior art of record, the application is considered in good and proper form for allowance, and the Office is respectfully requested to issue a timely Notice of allowance in this case. If, in the opinion of the Office, a telephone conference would expedite the prosecution of the subject application, the Office is invited to call the undersigned attorney.

Applicant believes a one-month extension of time is required, and hereby petitions any extension of time required and has included herewith a credit card payment form (PTO-2038) for payment of the extension fee, and Applicant's representative hereby authorizes the Commissioner to charge/credit any additional associated fees to Deposit Account No. 501430.

Respectfully submitted,
The Law Office of Kirk D. Williams

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By


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